

**City of San Diego
MEDICAL MARIJUANA/CANNABIS TASK FORCE**

**MEETING SUMMARY FOR
FRIDAY, OCTOBER 19, 2001 @ 12 NOON**

**EXECUTIVE COMPLEX - 5TH FLOOR
1010 SECOND AVENUE**

(For Information contact Ed Plank,
Task Force staff, 619-236-6433)

Attendance:

The following Task Force members were in attendance: St. Clair Adams, Dale Kelly Bankhead, Michael Bartelmo, Dr. Al Best, Larry Chaidez, Juliana Humphrey, Steve McWilliams, Ann Shanahan-Walsh, Conley Major. Staff: Lt. Carl Black, Ed Plank

Motion by St Clair Adams, second Michael Bartelmo to add Michael Barbee as a Task Force Member. Amended to include pending approval by the City Attorney.

SUBCOMMITTEE REPORTS:

Patient Doctor Subcommittee

Ann Shanahan Walsh indicated that the medical society had provided labels. A subset was extracted of 1601 doctors, surveys were going out Friday, October 19th. She expressed her appreciation to Jerry Meier for all his work in developing the survey.

Conley Major distributed copies of the Patient Caregiver survey at the People of Color Health Conference and collected 10 surveys at that event

Ann was arranging for a press conference regarding the survey effort and would provide date/time and location to all Task Force members. Ed Plank suggested she speak with Carl Nettleton the City's Public Information Officer regarding the press conference.

Sample physician's letters were distributed for the Task Force review. A cover letter will be drafted by Chair Humphrey and the sample letters will be referenced at the news conference.

Dale Kelly Bankhead questioned including medical condition on any letter to be used as a Physician's Statement. After some discussion, it was decided to eliminate the letter that called for specification of specific condition. Cover letter would reference that these letters present basic statements

Law Enforcement Sub-Committee

St Clair Adams described the sub-committee discussion about locked growing facilities and solicited additional concepts for how more secure environments could be provided, while recognizing any legal implications. Idea of apartment space used by “room mates” for growing cannabis was also proposed. Recommendation to have medical need letters posted at the locked facilities.

Bill Baxter, with the County, suggested Lt. Black access County wide data via the ARGIS system. Lt. Black agreed to provide summary information.

Training

Concerns were discussed over the awareness of Police officers in the field on the handling of cases where the medical defense was raised. The sub committee would like to see additional officer training on current policies and procedures. The sense is that there are many officers out there who may not have the knowledge. The sub committee is okay with the current guidelines, just not the level of officer knowledge. The subcommittee would like to meet with Captain Saldamando on the training issue. St. Clair asked for information from Lt. Black on what the current training is for officers on this subject.

Lt. Black indicated that officers are responsible to be familiar with Police Department policies. The additional training consists of visits by narcotics staff to different sub stations to address specific topics or questions. The subcommittee feels that the officers need to clearly know that when the medical defense is raised, the case should be referred to the narcotics group.

Discussion ensued as to whether further or different training should be held off until the Registration Card is in place. Proposal was discussed of drafting letter to City Manager raising concerns over the existing practices (non Policy issues) that the Task Force would like to have addressed. Discussion ensued as to Police training lead time on implementation of the new card system. Lt. Black described that once the basic program elements have been defined, then roll out through out the department would occur. A video featuring the chief was suggested as an effective training and awareness tool.

Steve McWilliams indicated that narcotics officers who are thoroughly trained arrested him and indicated that these officers did not adhere to the Policy. Lt. Black responded that the officers who did respond did follow policy.

Lt. Black agreed to carry the message back to the field officers that medical marijuana defense cases will be referred to narcotics.

St. Clair will focus subcommittee meetings this month on the development of potential topics/issues to bring forward for presentation to the City Manager or Council.

Conley Major provided LA Weekly article (copies to be provided).

Medical Research

Michael Bartelmo summarized his discussions with Dr. Neumeyer (handout summaries provided). Michael also provided an overview of a handout on federal marijuana policy and an article on Prop 215.

Chair suggested the Task Force provide a compilation of websites that are particularly effective and asked Ed Plank to begin discussions within the City on the establishment of a website to provide information on the Medical Cannabis/Marijuana issue and the City's efforts in the area.

Michael referred to the work of Mike Barbee with respect to the Workshop on the Medical Utility of Marijuana, and expressed appreciation for Mike's efforts on this topic. Dr. Best complimented Michael on his subcommittee report and reflected that in the past anecdotal recommendations were made for the use of Zinc to combat colds.... and medical research now has shown, there are benefits.

Legislative Efforts Subcommittee

Dale Kelly Bankhead presented the subcommittee proposal for the Voluntary Verification Card Program which is based on the San Francisco program. (Hand out provided)

Highlights

- Open to all California residents who meet verification process (San Francisco card limited to San Francisco residents)
- Discussion that there may be political or cost implication concerns
- Only basics needed, no reference to medical condition, SS #
- Will be phone number for contracting agency to allow verification
- For Caregivers, allow specification of the number of patients served
- Discussion that specifying the allowable amount of plants will be controversial and would hold up the card adoption, so amount would not be specified
- Application process is not as rigorous or intrusive as the San Francisco model
- Card would be good for up to two years
- There would be significant efforts to maintain confidentiality of the information

Concerns were raised over too little information being retained to protect the agency or the card issuing entity in the effort to maintain confidentiality/anonymity. Suggestion to include very limited additional information or to have information retained only for duration of card validity.

St Clair Adams made motion to approve and submit the proposal, while adding person's name and basic doctor identification information to the retained information. (Name of seconder not noted)

Council voted to support SB 187... letter will go to legislature. Bill will likely receive attention shortly after the new year.

Patient Advocacy Sub-Committee

Steve McWilliams passed out information to attendees of the Aids Fair and the Adams Avenue Street Fair.

Steve discussed that other Cities (Oakland) are looking at establishing quantity guidelines and that a proposal for 144 plants was viewed to be excessive, and the number was reduced to 77.

Steve attended ethics commission and questioned the City Attorney's guidance on medical cannabis. Steve intends to appeal the commission counsel's opinion that the commission does not have jurisdiction.

Steve emphasized the importance of the affirmative defense to avoid needless arrests and the destruction of plants.

Michael Bartelmo questioned the follow up on the Task Force concern expressed at the last meeting on the destruction of plants. Lt. Black indicated the force attempts to avoid digging up the plants but once that is done, they are not returned until a judicial order is issued. This procedure is based on the advice of the City Attorney. The Task Force will further consider this matter as it develops a list of interim recommendations to be conveyed to the Council.

Public Comments

Question poised to the Task Force whether Police Officers should be required to ask if there is a medical need when they come to someone's home to serve a search warrant. Chair indicated that discussion of specific cases and search warrants by the Task Force was not appropriate.